IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

Bail Appl..No. 4661 of 2007(P)

COMPLAINT REGISTERED BEFORE THE WOMEN CELL, ALAPPUZHA

: PETITIONERS

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1. P.J.JACOB @ PRAKASH, PUTHUKULANGARA PRAKASH BHAVAN, VETTICODE P.O., KATTANAM.

2. P.P.JOHN, PUTHUKULANGARA PRAKASH BHAVAN, VETTICODE P.O., KATTANAM.

3. LEELAMMA GEORGE, W/O.P.P.JOHN, PUTHUKULANGARA PRAKASH BHAVAN, VETTICODE P.O., KATTANAM.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE, WOMEN CELL, ALAPPUZHA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4661 of 2007

Dated this the 1st day of August, 2007

ORDER

Application for anticipatory bail. The petitioners are the husband and relatives of the husband of the defacto complainant. The petitioners apprehend that on the complaint made by the defacto complainant, the wife of the 1st petitioner, the police may arrest them on the allegation that offence punishable under Section 498 A I.P.C has been committed by them. They pray for directions under Section 438 Cr.P.C.

2. The learned Public Prosecutor after taking instructions submits that no crime has been registered against the petitioners and there is no intention to register any crime or arrest the petitioners. It is true that a complaint has been received from the wife of the 1st petitioner. But the police have not thought it necessary to register any crime on the basis of such complaint. It is true that the Vanitha Cell has called both sides and had attempted a conciliation. Parties have been referred to counseling also. At any rate, no crime is registered and the petitioners are not required to be arrested, submits the learned Public Prosecutor.

2. Submission of the learned Public Prosecutor is taken note of and hereby recorded. The apprehension of the petitioners is, in these circumstances, found to be without any basis.

3. This application for anticipatory bail is, in these circumstances, dismissed recording the submission of the learned Public Prosecutor.

(R.BASANT, JUDGE)

rtr/-